

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES

July 24, 2014 & July 25, 2014

A meeting of the Board of Examiners of Psychology was held on July 24, 2014 and July 25, 2014 at the Rough River Dam State Resort Park in Falls of Rough, KY.

MEMBERS PRESENT

Owen Nichols, Psy.D. Chair
Melissa Hall, M.S. Vice-Chair
Eva R. Markham, Ed.D.
Sally Brenzel, Psy.D.
Gerald Walker, Psy.D.
Stanley Bittman, Ph.D.
Thomas W. Miller, Ph.D.
Kathy Susman, M.A.
Serena Owen – Citizen at Large

OCCUPATIONS AND PROFESSIONS STAFF

Robin Vick, Board Administrator

MEMBERS ABSENT

OTHERS PRESENT

Brian Judy, Assistant Attorney General
Sheila Schuster, Ph.D.
Lisa Willner, Ph.D.
Karen Lentz

A meeting of the Kentucky Board of Examiners of Psychology, Complaint Committee, was called to order at 8:30 a.m., Thursday, July 24, 2014 at the Rough River Dam State Resort Park in Falls of Rough, KY. A motion was made by Dr. Brenzel to go into closed session for the Complaint Screening Committee per KRS 61.810 (1)(c) and (j), seconded by Ms. Hall. A motion was made by Dr. Brenzel to come out of closed session, seconded by Ms. Hall. The committee meeting adjourned at 10:15 a.m.

CALL TO ORDER

Dr. Nichols, Chair, called the meeting to order at 10:20 a.m. on July 24, 2014.

Dr. Nichols welcomed new Board members and assigned Dr. Walker to the Complaint Screening Committee and Ms. Owen to assist with committees before meetings.

NEW BUSINESS

KPA Presenting Recommendations of Regulations on Psychological Testing – 201 KAR 26:115

Dr. Willner & Dr. Schuster presented proposed revisions. Board reviewed and discussed proposed revisions with Dr. Schuster and Dr. Willner. Kentucky Psychological Association will update provision to regulations and present updated provisions to the Board for review.

ADJOURNMENT

A motion was made by Dr. Miller to adjourn the meeting at 11:45 a.m. for lunch. The motion, seconded by Ms. Hall, carried. The meeting will recommence at 12:45 p.m.

CALL TO ORDER

Dr. Nichols, Chair, called the meeting to order at 12:45 p.m. on July 24, 2014.

NEW BUSINESS

Prescriptive Authority – LA, NM, & IL Laws

Dr. Nichols presented to the Board copies of the Louisiana, New Mexico & Illinois laws in regards to appropriately trained psychologists to prescribe medication to treat mental health issues. The Board reviewed and discussed past laws in other jurisdictions and their opinion on the effect with Kentucky and the benefits for Kentucky. It was recommended for the Board to create a sub-committee to approach and collaborate with KPA on statutory and regulations changes.

Sub-Committee consists of Dr. Nichols, Dr. Markham, Dr. Miller and Ms. Owen.

Review of Kentucky Revised Statutes and Kentucky Administrative Regulations

- Dr. Bittman and Mr. Judy will work on revising regulations on requirements for licensure.

- Suicide Prevention continuing education requirement will be added to regulations. Mr. Judy will add the amendment to the continuing education regulation and present the language to the Board at the next meeting.
- 201 KAR 26:175 Section 5 (2) – Continuing Education – Dr. Miller will review language and advise the Board on recommendations for revision.
 - Change “shall” to “may”
 - Maybe move (3) before (2)
- There is not a procedure for revocation of probation, no due process in regulations. Mr. Judy will present language to the Board for review.
- There is not a due process procedure for the denial of initial and renewal applications. Mr. Judy will present language to the Board for review.
- Statutes and regulations need to mirror each other for renewals, removing the fee to exceed \$100. A motion was made by Dr. Bittman for the Board to contact a legislature to consider sponsoring an amendment to KRS 319.071. The motion, seconded by Dr. Brenzel, carried.
- Dual Credentialing – 201 KAR 26:121 Section 3 (1) (a) – Mr. Judy will remove and present to the Board for review.
- Add a clause for possible extension for temporary license psychological associates. (Same clause from temporary licensed psychologist.)
- Practicum form – make official with a note added, “Submit Letter from Supervisor or Training Director.”
- Renewal forms – Change 30 hours to 39 hours and change address section to make most recent address a requirement and add business name and cell phone.
- Application form – Change email to a requirement and change question #7 to “Are you now or previously certified or licensed in Kentucky?”

ADJOURNMENT

A motion was made by Dr. Miller to adjourn the meeting at 4:00 p.m. The motion, seconded by DR. Bittman, carried. The meeting will recommence Friday July 25, 2014 at 9:00 a.m.

CALL TO ORDER

Dr. Nichols, Chair, called the meeting to order 9:00 a.m. on July 25, 2014.

MINUTES

The minutes of the June 2, 2014 meeting were called to the attention of the Board. A motion was made by Dr. Miller to approve the minutes. The motion, seconded by Dr. Bittman, carried.

MONTHLY FINANCIAL REPORT & LEGAL FEES

The financial reports ending June 2014 and legal fees for May 2014 were presented to the Board.

O & P REPORT

Ms. Vick updated the Board with July Occupations and Professions monthly report.

LEGAL MATTERS

None

COMPLAINTS SCREENING COMMITTEE

At 9:10 a.m. Dr. Brenzel made a motion to go into closed session pursuant to KRS 61.810(1)(j) for the purpose of deliberations of judicial bodies involving individual adjudications or appointments. The motion, seconded by Ms. Susman, carried. Dr. Brenzel made a motion to come out of closed session at 10:00 a.m. The motion, seconded by Dr. Markham, carried.

- Case 00-05 – A motion was made by the Complaint Screening Committee to first accept the vacating of prior decision, and 2nd return of fine and penalty with judgment interest with a maximum of up to \$50,000.00 allowing Brian to negotiate up to that point and refuse acceptance of waving liability of past,

present or future Board members acting in their official capacity and dismissal of Franklin Circuit Court judicial committee review. The motion, seconded by Dr. Bittman, carried.

- Case 03-12 and 06-05 – On-going.
- Case 10-19 – On-going.
- Case 12-10A / Case 12-10B / Case 12-10 C – On-going.
- Case 12-12 – On-going.
- Case 13-05 – On-going.
- Case 13-06 – A motion was made by the Complaint Screening Committee to have Dr. Markham be the Board representative for this case. The motion, seconded by Dr. Miller, carried.
- Case 13-07 – A motion was made by the Complaint Screening Committee to dismiss. The motion, seconded by Dr. Miller, carried.
- Case 13-07B – A motion was made by the Complaint Screening Committee for Mr. Judy to submit settlement agreement of probation for five (5) years, pay investigative and prosecution cost for case 13-07B. If probation is violated, license will be revoked and licensee if required to follow Tennessee's probations requirements. The motion, seconded by Dr. Miller, carried.
- Case 14-01 – On-going.
- Case 14-06 – A motion was made by the Complaint Screening Committee to dismiss. The motion was seconded by Dr. Miller, carried. Dr. Brenzel & Dr. Nichols recused themselves from the room during the Complaint Screening Committee and the Board meeting as they discussed the case.
- Case 14-07 – On-going.
- Case 14-09A – On-going.
- Case 14-09B – On-going.
- Case 14-10 – On-going.
- Case 14-11 – Case 14-190 - A motion was made by the Complaint Screening Committee to dismiss the cases of licenses that have been reviewed and approved. The motion, seconded by Dr. Markham, carried.
- Case 14-191 - A motion was made by the Complaint Screening Committee to dismiss. The motion was seconded by Dr. Markham, carried. Dr. Brenzel & Dr. Nichols recused themselves from the room during the Complaint Screening Committee and the Board meeting as they discussed the case.
- Case 14-192 – A motion was made by the Complaint Screening Committee to investigate. The motion, seconded by Dr. Miller, carried. Dr. Brenzel recused herself from the room during the Complaint Screening Committee and the Board meeting as they discussed the case.
- Case 14-193 – A motion was made by the Complaint Screening Committee to dismiss. The motion, seconded by Dr. Markham, carried.
- Case 14-194 – On-Going.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

COMMITTEE REPORTS

Supervision Committee – Dr. Markham discussed some cases requesting extension with temporary licenses.

Continuing Education Committee –

- KBEP Approval for Basic Supervision Workshop
 - A motion was made by Dr. Miller to approve presenters to teach Basic Supervision course at KPA's convention. The motion, seconded by Ms. Hall, carried.

Credentials Review Committee – Dr. Bittman discussed questions with applications that he reviewed. Ms. Susman discussed email form A. Durham in regards to Walden University. The Board reviewed Walden's residency program. Board will review other states models, APA's online credentials for residency. The Board will review & discuss at the September meeting.

Examination Committee – None

Disciplined Psychologists Reports – None

EXPIRED LICENSURE REPORT

There were four expired license for the month of March 2014. A motion was made by Dr. Markham to send a certified letter to these licensees advising them that their license has expired and that they must cease practice. The motion, seconded by Dr. Brenzel, carried.

OLD BUSINESS

None

NEW BUSINESS

ASPPB 54th Annual Meeting – October 22-26, 2014, Rancho Mirage, California

A motion was made by Dr. Brenzel to approve Dr. Markham, Dr. Nichols, Dr. Walker, Dr. Bittman, Ms. Owen & Mr. Judy to attend the ASPPB 54th meeting, October 22-26, 2014 at Rancho Mirage, California. The motion, seconded by Dr. Miller, carried.

Letter from Walter High, Jr., Ph.D.

The Board reviewed the letter from Dr. High and discussed. Mr. Judy will create response for Dr. High with the Board's opinion and will present to the Board for review and approval.

ADJOURNMENT

A motion was made by Dr. Miller to adjourn the meeting at 5:00 p.m. The motion, seconded by Ms. Susman, carried. The meeting will recommence Friday July 19, 2013 at 9:00 a.m.

SCHEDULE NEXT MEETING

The next Board meeting will be held on September 8, 2014 at the Office of Occupations and Profession in Frankfort, KY.

TRAVEL AND PER DIEM

A motion was made by Ms. Owen to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting and other board business between meetings. The motion, seconded by Dr. Miller, carried.

ADJOURNMENT

A motion made by Dr. Markham to adjourn the meeting at 11:35 a.m. The motion, seconded by Ms. Susman, carried.

Owen Nichols, Psy.D. Chair